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#10

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7/17/02

Applicant: Douglas A. Craig
Serial No.: 09/450,880 Group Art Unit: 1634
Filed : November 29, 1999 Examiner: Frank W. Lu
For : Use of Compounds Which Activate A 5-HT
Receptor To Treat Urinary Incontinence

1185 Avenue of the Americas
New York, New York 10036
June 21, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231
Box AF

SIR:

**NOTICE OF APPEAL FROM THE EXAMINER'S DECISION TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Examiner mailed December 21, 2001 finally rejecting pending claims 1-24 in the above-identified application.

A response to the December 21, 2001 Final Office Action was due on March 21, 2002. On April 22, 2002 applicant filed an Amendment In Response To December 21, 2001 Final Office Action and Petition For A One Month Extension Of Time. On June 3, 2002, the Examiner issued an Advisory Action indicating that the proposed amendment will not be entered because it raises new issues that would require further consideration and/or search. Applicant is concurrently petitioning for an additional two-month extension of time in which to file a response or a Notice of Appeal in connection with the December 21, 2001 Final Office Action. Accordingly, the subject application is pending today and this Notice of Appeal is being timely filed.

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320.00 OP

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The required fee set forth in 37 C.F.R. §1.17(b) for filing a Notice of Appeal for is THREE HUNDRED AND TWENTY DOLLARS (\$320.00) and a check in this amount is enclosed.

No fee, other than the enclosed \$320.00 fee, is deemed necessary in connection with the filing of this Notice of Appeal. However, if an additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

John P. White
Registration No. 28,678
Alan D. Miller
Registration No. 42,889
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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Alan D. Miller
Reg. No. 42,889

Date